

Rights Act which allows religious institutions to make employment decisions outside the protection of section 703 dealing with race, color, religion, or national origin; and then in 1972, the Equal Employment Opportunity Act of 1974, which broadened the scope of section 702 and permitted religious institutions to make religion-based employment decisions in all their activities, rather than just religious ones.

While the Republican bill correctly addresses race, color, and national origin, it is regrettably silent on the question of sexual orientation; thereby leaving a loophole which I find totally unacceptable.

Mr. Speaker, I am told that the cost of drug abuse to society is estimated at \$16 billion annually, in less time than it takes to debate this bill, another 14 infants will be born into poverty in America, another 10 will be born without health insurance, and one more child will be neglected or abused. In fact, the number of persons in our country below the poverty level in 1999 was 32.3 million.

This legislation recognizes the fact that we must commandeer and enlist every weapon in our arsenal to fight the war against poverty, crime, mental illness, drug use, and abuse as well as all of the maladies that are associated with these debilitating conditions.

The Democratic substitute for H.R. 7, the Community Solutions Act of 2001, can lend a helping hand.

Mr. Speaker, I rest my case and yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, when I was first elected to this body, if someone had told me that in the first year of the 21st century, the U.S. Congress would be on the verge of passing a bill making it lawful to discriminate with taxpayer funds, I wouldn't have believed them. I would have told them that too many had fought too long for us to backtrack in the battle against bigotry. Yet that is exactly what this bill does, and that is exactly what we are trying to undo with this Democratic substitute.

I am astonished the Bush Administration would fight so strenuously to extend the right to discriminate in employment on account of religion. If government funds truly will not be used in a non-sectarian manner—as the Administration claims—why in the world would we want to permit discrimination on the basis of religion? I've been asking this question for the last month, and have yet to receive any semblance of an adequate response.

Every Member in this body knows that cooking soup for the poor can be done equally well by persons of all religious beliefs. But the Administration has bent over so far backwards to make sure we do not discriminate against religious organizations, that somehow they forgot about protecting the actual people—the citizens—against discrimination.

This bill is so extreme it sanctions employment discrimination based on so-called “tenets and teachings.” This means a religious organization could use taxpayer funds to discriminate against gays and lesbians, against divorced persons, against unmarried pregnant women, against women who have had an abortion, and against persons involved in an interracial marriage.

If you can believe it, the bill gets even worse. The legislation not only sets aside federal civil rights laws, it goes as far as to eliminate state and local civil rights laws. That means if the voters of a state or city had de-

cided as a matter of public policy that organizations utilizing taxpayer funds should not be permitted to discriminate, that law would be set aside under H.R. 7. This turns the principle of federalism completely on its head.

We shouldn't be surprised that the civil rights community is so strongly opposed to the bill. Just last week, Julian Bond, the Chairman of the NAACP, declared H.R. 7 will “erase sixty years of civil rights protections.” The NAACP Legal Defense Fund has written that charitable choice is “wholly inconsistent with longstanding principle that federal moneys should not be used to discriminate in any form.” The Leadership Conference on Civil Rights has stated in no uncertain terms that charitable choice will “erode the fundamental principle of non-discrimination.”

If our President really wanted to bring us together, he wouldn't push this legislation which so strongly divides this body and our nation. He would work with us on a true bipartisan basis to expend the role of religion in a manner that protects civil rights. We can begin this effort by voting yes on the Democratic substitute.

Mrs. MEEK of Florida. Mr. Speaker, I rise in opposition to H.R. 7, the so-called “Community Solutions Act”, and in support of the Rangel-Conyers substitute. I recognize and commend our country's religious organizations for the critical role that they play in meeting America's social welfare needs. We need to support their efforts and encourage them to do even more, but not at the expense of our civil rights laws or our Constitution.

I cannot support legislation that allow religious organizations to discriminate in employment on the basis of religion, that preempts state and local laws against discrimination, or that breaks down the historic separation between Church and State. Nor can I support the massive expansion of the use of vouchers contained in H.R. 7, an expansion that would allow the Administration to convert \$47 billion in social service programs into vouchers and allow the recipients of such vouchers to discriminate against beneficiaries of such programs on account of their religion.

We should never support such a subterfuge that would allow religious organizations indirectly to achieve what they could not do directly, that is, to use funds for sectarian instruction, worship, or proselytizing. We can never accept a return to the days where we see ads that read: No Catholics or no Jews need apply. We simply cannot allow it.

The Rangel-Conyers substitute is the right approach to involving faith-based organizations in federal programs. The substitute provides that religious organizations receiving federal funds for social programs could not discriminate in employment on the basis of an employee's religion; prohibits any provision in the bill from superseding state or civil rights laws; prohibits religious organizations who provide federally funded programs from engaging in sectarian activities at the same time and place as the government funded program; and strikes the provision in the bill relating to governmental provision of indirect funds.

While many of the advocates of H.R. 7 are very well-intended, this legislation is a good example of the devil dressed as an angel of light. H.R. 7 includes provisions that sharply attack one of the oldest civil rights principles—that the federal government will not fund discriminate by others. The bill would allow reli-

gious groups that receive federal funds to discriminate in their hiring practices—not just for workers that they hire to help carry out religious activities funded by private contributions, but for workers hired to perform secular work with government funding.

We're not talking here about a provision to insure that a church does not have to hire a Jewish person to be a priest or a Catholic to be a rabbi. We're talking about a provision that would allow a religious organization not to hire a janitor because of that person's religious beliefs. This is an outrage!

For decades, there has been an effective relationship between government and religiously affiliated institutions for the provision of community-based social services. These organizations, such as Catholic Charities, Lutheran Services, United Jewish Communities and numerous others, separate religious activities from their social services offerings, follow all civil rights laws, follow all state and local rules and standards and do not discriminate in staffing. There is no reason to remove these effective safeguards.

Mr. Speaker, let's keep our eye on the ball and focus on the real problem. What we really need is legislation to authorize additional dollars for social service programs and then fund these programs properly, not the Bush Administration's cuts in juvenile delinquency programs, in job training, in public housing, in child care, and in Temporary Assistance to Needy Families (TANF).

Mr. Speaker, we can and must do better than H.R. 7. Let's preserve our historic commitment not to allow religious organizations to discriminate in employment on the basis of religion and preserve our Constitution's religious protections. Support the Rangel-Conyers substitute. I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 196, the previous question is ordered on the bill, as amended, and on the amendment in the nature of a substitute offered by the gentleman from New York (Mr. RANGEL).

The question is on the amendment in the nature of a substitute offered by the gentleman from New York (Mr. RANGEL).

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. NADLER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 168, nays 261, not voting 4, as follows:

[Roll No. 252]

YEAS—168

Abercrombie	Boswell	Cummings
Ackerman	Boucher	Davis (FL)
Allen	Boyd	Davis (IL)
Andrews	Brady (PA)	DeFazio
Baca	Brown (FL)	Delahunt
Baird	Brown (OH)	DeLauro
Baldacci	Capps	Deutscher
Baldwin	Capuano	Dicks
Barcia	Cardin	Dingell
Barrett	Carson (IN)	Dooley
Becerra	Carson (OK)	Doyle
Berkley	Clay	Edwards
Berman	Clayton	Eshoo
Bishop	Clyburn	Etheridge
Blagojevich	Condit	Evans
Blumenauer	Conyers	Farr
Bonior	Coyne	Fattah
Borski	Crowley	Filner